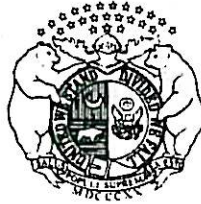


MEL CARNAHAN
Governor



MAR 18 1993

DAVID A. SHORR
Director

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE DIRECTOR

P.O. Box 176 Jefferson City, MO 65102 314-751-4422

MAR 25 1993

CERTIFIED MAIL # P 179 977 726
RETURN RECEIPT REQUESTED

March 11, 1993

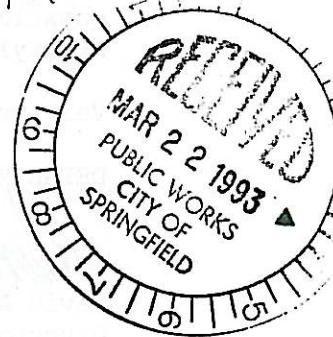
Mr. Scott E. Fore, Vice President
Environment, Health and Safety
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60123

RE: Safety-Kleen Corporation - Springfield, MO; MOD 000 669 069

Dear Mr. Fore:

This letter is being sent to inform you of the Missouri Department of Natural Resources' (MDNR) final decision to issue a hazardous waste management facility storage permit to the Safety-Kleen Corporation for the operation of a facility in Greene County, Missouri. This decision is based upon staff recommendations following a careful review of the facility's permit application and completion of the public participation process. Concurrently with the MDNR, the United States Environmental Protection Agency (EPA) allowed for public comment on Part II of the permit, which addresses the Solid Waste Management Units regulated by the Hazardous and Solid Waste Amendments of 1984, Air Emission Standards for Process Vents and Equipment Leaks, and storage of additional wastes which exhibit the Toxicity Characteristic (TC) for new constituents as a result of TC revisions.

Public participation requirements for Safety-Kleen's permit application and Part I of the permit were conducted in accordance with 10 CSR 25-8.010. A public hearing was not requested during the public comment period; however, written comments were received only from the Safety-Kleen Corporation. These comments have been addressed in the Summary of Comments enclosed with the permit, and the permit has been modified accordingly.



734 Northwest Bypass 66

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Mr. Scott E. Fore, Vice President

Page 2

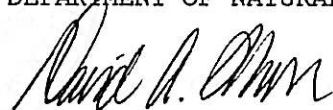
March 11, 1993

Enclosed, please find Parts I and II of the final Hazardous Waste Management Facility Storage Permit. Part I contains a schedule of specific items that Safety-Kleen will be required to complete in order to operate the facility under this permit. Also enclosed are the MDNR's and the EPA's Summary of Comments which include responses to the comments received, the provisions of the permit that have been modified, and the reasons for the modifications.

Please be advised that Safety-Kleen Corporation or any aggrieved person may appeal this decision to the Missouri Hazardous Waste Management Commission within thirty (30) days from the date of Safety-Kleen's receipt of this letter, as provided in 10 CSR 25-8.010(1)(K). If you have any questions concerning this letter or the enclosed documents, please contact Mr. Kyle Russell, Environmental Engineer, at (314) 751-3176.

Very truly yours,

DEPARTMENT OF NATURAL RESOURCES



David A. Shorr
Director

DAS:krj

Enclosures

c: Lyndell Harrington, P.E., U.S. EPA, Region VII
Mr. Alan Raymond, Safety-Kleen Corporation
Mayor Thomas J. Carlson, City of Springfield
Senator Dennis W. Smith
Representative Chuck Wooten
Senator John C. Danforth
Senator Christopher Bond
Representative Bill Emerson
The Honorable H.C. Compton, Presiding
Commissioner, Green County
Southwest Regional Office, MDNR

SAFETY-KLEEN - SPRINGFIELD
DRAFT HSWA PERMIT DATED DECEMBER 1, 1992
RESPONSE TO COMMENTS

Page 1 of 1

The comment period for the draft approval of the above referenced permit has closed. The Environmental Protection Agency, Region VII Office (EPA) and the Missouri Department of Natural Resources (MDNR) have received one comment. This comment came from the facility owner/operator. The following is a summary of the comment received and the corresponding response.

COMMENT: Safety-Kleen commented that the schedule of compliance for the submittal of a RCRA Facility Sampling (RFS) Workplan be extended from forty-five (45) days to ninety (90) days. Safety-Kleen stated that forty-five (45) days allotted for completion of this item was not appropriate due to their past experience with this type of submittal.

RESPONSE: This request for additional time has been incorporated into the final Permit. The additional time has been allowed in order to ensure a good workplan is prepared by the facility. The additional time will minimize any chances of the need for time extensions due to an inadequate initial sampling workplan. Safety-Kleen should take measures to ensure that the RFS Workplan is submitted on time.

No comments were received on Permit Condition XXX. However, the time for completing the RCRA Facility Investigation Workplan was changed to a similar timeframe for all Safety-Kleen permits to improve the trackability of the permittee's compliance. The time allowed for submittal of the RFI Workplan has been changed from forty-five (45) days to sixty (60) days. This change is reflected in Permit Condition XXX.

SUMMARY OF COMMENTS

PART I PERMIT - RCRA
SAFETY-KLEEN CORP. SPRINGFIELD FACILITY
MOD000669069

This summary of comments has been prepared in accordance with the requirements of 10 CSR 25-8.010(1)(J)2. This regulation requires the Missouri Department of Natural Resources (MDNR) to prepare a summary of all written comments received during the public comment period and comments associated with the public hearing, if one was held. There was no request for a public hearing; subsequently, a meeting was not held. The regulations also require a written response to each comment by the MDNR, a specification of which provisions of the draft permit were changed along with the reasons, and a statement on the decision to either issue or deny the final permit.

During the public comment period for the draft permit for the Safety-Kleen facility located at 734 Northwest Bypass 66, Springfield, Missouri, comments were received only from the Safety-Kleen Corporation. The comments discussed in this summary were from the Elgin, Illinois, Central Division of Safety-Kleen Corporation and were submitted by the Environmental Affairs Manager. All changes made to the draft permit are discussed here and the reasons for any changes are stated in the same order as within the comment letter.

After all comments were reviewed, a decision by the MDNR has been made to issue a final permit to the Safety-Kleen Corporation - Springfield Facility, EPA I.D.# MOD 000669069.

General Comments

A) The facility supplied information on a street address change for the Elgin, IL, corporate office that is expected to occur in April 1993. The recommendation from the facility was to change the draft permit now to avoid a permit modification later. Their recommended change would have occurred on Page 1 of 44, under the Permittee's mailing address (this is the only location of this address within the draft permit). The MDNR feels that the procedure for a Class 1 Permit Modification, not requiring prior director approval, is the best method for this administrative change. The reason for not changing the address from the draft permit to the final permit is that the current address is where the final permit will be mailed.

B) The facility requested the MDNR to add paint wastes and lacquer thinner wastes to the general description on Page 1 of 44 in the Part I Permit. These waste names have been added, as requested, to allow for clarification.

C) A comment by the facility was made by requesting that the references to pallets within the container storage warehouse and flammable waste storage shelter should be removed from the permit. Schedule of Compliance Item 2.C. has been changed to distinguish between the Warehouse Container Storage Area and the Flammable Storage Shelter. Schedule of Compliance Item 2.C. now refers only to the Flammable Storage Shelter and a new Schedule of Compliance Item 2.E. refers only to the Warehouse Container Storage Area.

Schedule of Compliance Item 2.C. and Special Permit Condition I.B. - Flammable Storage Shelter have been modified by removing all references to pallet configuration, as requested. The draft permit contained this language for the purpose of retaining consistency with the warehouse storage configuration; however, after further consideration of the container storage regulations, it is agreed that the reference to pallets should be removed for the metal shelter storage area. This change was made since the base of the flammable storage shelter is either sloped or designed and operated to drain and remove liquids, as noted in 40 CFR 264.175(b)(2), as incorporated in 10 CSR 25-7.264(1).

Schedule of Compliance Item 2.E. and Special Permit Condition I.B. - Warehouse Container Storage Area require specific management practices for container storage. There is no reference in the application stating that the container storage warehouse floor is sloped. There are no discussions within the main body of the application, nor are there any discussions or

SUMMARY OF COMMENTS

Page 3

technical drawings within the appendices about sloped floors. 40 CFR 264.175(b)(2), as incorporated in 10 CSR 25-7.264(1), requires the base to be either sloped or otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids.

The reference to an alternative storage practice that does not require a sloped containment system is within the main body of the permit application and in Appendix E. This reference by Safety-Kleen is to the use of pallets. Based on the available information in the application, the MDNR has not modified the requirements in the permit for the container storage warehouse, i.e., Schedule of Compliance Item 2.E. and Special Permit Condition I.B. - Warehouse Container Storage Area.

Part I Permit, Page 1 of 44

The facility requested a correction of the latitudinal and longitudinal coordinates of the site, as written in the location section on Page 1 of 44. This correction has been made, as requested. As a result of this change, other changes, which are necessary, are located in the Schedule of Compliance Item 1.A. An item was added to the list requiring that all references within the revised permit application, dated September 4, 1992, must be changed to reflect the revised coordinates. This includes, but is not limited to, all latitude and longitude references in the Missouri Part A Form, the EPA Part A Form, and in the Part B.

Schedule of Compliance, Items 2.C and 2.D and Special Permit Condition I.B

The facility commented on a number of related issues within one comment. They recommended that it was not necessary to have 2 foot spaces between pallets within an individual row for the 5 or 16 gallon containers, but, rather, a 0.5 foot minimum spacing would be adequate. The MDNR considers this an acceptable alternative for the pallet layout for inspection procedures. Therefore, the 2 foot spacing has been changed to require a minimum of 0.5 feet for separation within a row for the pallets.

The facility requested that specific references to pallets should be removed from the permit. The MDNR did not remove these references for the reasons listed in General Comments C) above, for the Warehouse Container Storage Area. The MDNR did remove these references for the reasons listed in General Comments C) above, for the Flammable Storage Shelter.

SUMMARY OF COMMENTS

Page 4

The facility has also stated that there are sufficient requirements by the permit for maximum storage capacity for containers and requested that the last sentence of Schedule of Compliance Item 2.C. should be deleted. This sentence required a certain pallet layout that could reduce the maximum storage capacity. Since the facility will have to comply with the pallet layout and the maximum capacity, the MDNR agrees that the final maximum volumes will not be exceeded, as stated in the Special Permit Condition I.B. and will not be subject to change upon submittal of the information of Schedule of Compliance Items 2.C. (or 2.E.). Therefore, this sentence has been deleted, as requested.

General Permit Condition VIII.E.

The facility requested a change in this permit condition to add a statement that the alternate emergency coordinator may perform the functions if the primary is not available. The intent of the regulation is to ensure that at all times there is an emergency coordinator available and does not differentiate between the titles of primary or alternatives. For the purposes of the permit, no change was made; however, this summary of comments will provide clarification that the intent of this regulation is to include alternate emergency coordinators as having the same responsibilities as the primary, when the primary is unavailable.

Special Permit Condition II.E.3.c.

The facility commented on this condition by requesting that the condition in the draft permit should be changed to read exactly as stated in the regulations. The MDNR has added the entire sentence as it is stated within 40 CFR 264.193(c)(3), as incorporated in 10 CSR 25-7.264(1), into the final permit.

It should be noted, however, that Safety-Kleen has not supplied to the MDNR a demonstration that existing detection technologies or site conditions will not allow detection of a release within twenty-four (24) hours. EPA has promulgated, and the Commission has adopted, minimum frequency requirements for compliance with 40 CFR 264.193(c)(3) and those requirements are to use a detection device that is capable of detecting a release within twenty-four (24) hours.

EPA has discussed these requirements in the May 19, 1980 Federal Register, page 33181, and the amendment of that requirement in the July 14, 1986 Federal Register, page 25448; also, a clarification of the requirement was presented in the September 2, 1988 Federal Register on page 34083 and 34084. The summary of their discussions is as follows: 1) General

SUMMARY OF COMMENTS
Page 5

Inspections, as noted in 40 CFR 264.195, may be performed on an "operating day" basis, whereas, specific facility types, i.e., tanks, have specific minimum inspection frequency requirements, 2) EPA intended that these provisions require a prompt detection of a leak from the primary structure into the secondary containment structure, and 3) in no instance would EPA consider a leak detection system to be adequate if it would allow the release to escape from the secondary containment system before being detected.

The MDNR is aware of discrete and continuous frequency leak detection devices that could be implemented to announce a potential leak at locations other than the facility. Since the facility has not discussed any technological limitations nor supplied any supporting information on why they could not visually detect leaks within a twenty-four (24) hour period, Safety-Kleen will be required to use the method that was suggested in the application, i.e., visual inspection.

Also, an item within the Schedule of Compliance has been added to allow Safety-Kleen an opportunity to provide alternative leak detection methods. This item can be found in Schedule of Compliance Item 3.B. (Note: Item 3.A. is now the original Item 3.) This will require Safety-Kleen to review the methods available and to submit the information along with a plan for implementation, if an alternative to visual inspection is chosen. An inspection checklist must be submitted to reflect the minimum detection frequency for the leak detection device. Another condition within the permit also requires daily inspection, at a minimum, as noted in Special Permit Condition III.B.1. These could be added to a new checklist or by modifying one of the existing checklists.

Special Permit Condition II.E.3.d.

The facility commented by requesting that the condition in the draft permit should be changed to read exactly as stated in the regulation. The MDNR has added the entire sentence within 40 CFR 264.193(c)(4), as incorporated in 10 CSR 25-7.264(1), into the final permit, as requested. The reason for this change is similar to Special Permit Condition II.E.3.c.

It should be noted that any spilled or leaked wastes and accumulated precipitation must be removed from the secondary containment system within twenty-four (24) hours. Safety-Kleen has not demonstrated to the MDNR that removal of the released waste or accumulated precipitation cannot be accomplished within twenty-four (24) hours.

SUMMARY OF COMMENTS

Page 6

Special Permit Condition II.E.4.

The facility noted that the 5,000 gallon antifreeze tank containment system is designed to prevent infiltration of precipitation into the containment system. The requirements of Special Permit Condition II.E.4. have therefore been met since run-on into the containment system is prevented. Since a change was not requested by the facility and the requirements of the condition must be fulfilled (which they are), the MDNR did not alter the permit condition.

Special Permit Condition II.E.5.

The facility commented on the condition by requesting that the word "operating" should be added to the permit language. The permit language for Condition II.E.5. was modelled after 40 CFR 264.193(f), as incorporated in 10 CSR 25-7.264(1). This language in the regulations does not use the phrase "operating day" to describe the frequency of inspections for ancillary equipment. The intentions for this condition are similar to those required and discussed above for Special Permit Condition II.E.3.c. Therefore, since the wording is not included in the regulations, a change in this condition was not made.

Within the Schedule of Compliance Item 3.C., a requirement has been added for Safety-Kleen to submit a revised inspection checklist for the ancillary equipment listed in Special Permit Condition II.E.5. An opportunity for Safety-Kleen to submit any documentation supporting remote sensing for days when the facility is not operating has also been added to the Schedule of Compliance. The purpose for this addition is to provide an alternative means for leak detection, rather than visual, when the facility is not operating.

Special Permit Condition III.B.2.

Special Permit Condition III.B.2. was written in the draft permit to define a leak as a situation where an instrument reading of 10,000 ppm or greater was obtained using methods in 40 CFR 264.1063(b). The facility commented that the definition of a leak should also include leaks detected through sensory means (i.e. visual, audible or olfactory means) in addition to the instrument reading. This condition was revised to incorporate this comment, for the reasons given in the facility comment.

SUMMARY OF COMMENTS

Page 7

Special Permit Condition IV

The facility commented on this condition by requesting the MDNR to reconsider the restriction of temporarily holding FRS (Fluid Recovery Service) wastes in the same containment area as the permitted wastes. The MDNR has reviewed the request and has decided to retain the permit condition as it was stated in the draft permit. This permit condition does not restrict the management of wastes on a transfer basis at the facility.

The condition has been written to ensure that the permitted waste storage areas are managed in accordance with all of the requirements that are included within the permit. Since Safety-Kleen desires the FRS waste to be considered "in transportation" and does not want the FRS wastes to be considered "in storage" and subject to the permit requirements for waste analysis, the MDNR will not allow FRS wastes to be managed within the same containment area as permitted wastes.

Also, the Special Permit Condition has been clarified to require visual and physical separation of the FRS wastes from the permitted wastes while they are located at the same facility. Transfer wastes must be managed according to 10 CSR 25-6.(1)(A)10 requirements, which specify necessary management practices to minimize the potential for fire, explosion or release that potentially incompatible wastes pose to the facility as a whole and to the permitted storage areas in particular. Therefore, Schedule of Compliance Item 2.F. requires a submittal of information supporting the facility's management practices in accordance with 10 CSR 25-6.(1)(A)10.

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Section 10

The following is a list of the names of the persons who have been appointed to the various positions in the Department of the Interior, and who have been sworn in as such.

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